

### **Remarks**

In the Office Action of May 12, 2009, claims 1-3, 5-9 and 11 are rejected, and the specification is objected to. Claims 1-3, 5-9 and 11 remain pending in this application, and claims 1 and 6 have been amended. In view of the amendments and the following remarks, reconsideration of the above-identified application is respectfully requested.

### **Objection to the Specification**

The Examiner has objected to the specification. However, aside from the paragraph directed to the various requirements of a brief abstract (Office Action, page 2), there is no indication regarding any specific deficiency in the Applicant's Abstract.

Since an Abstract has been provided on page 13 of the original specification, with a total count of 116 words, Applicant submits that the original Abstract fully complies with the requirement under 35 U.S.C. 111. Therefore, it is requested that the objection to the specification be withdrawn.

### **Claim Rejection under 35 U.S.C. §102(b)**

Claims 1-3, 5-9 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Young et al. (US Patent 5,809,204, hereinafter "Young"). Young discloses a user interface for a television program guide, which can be used to facilitate operation of a recording device (e.g., col. 1, lines 13-25).

Applicant's invention provides a method and system that allow different streams of multimedia content from different channels to be stored, without deleting previously stored data from a data buffer upon a channel change (as would happen in prior art systems).

Claims 1 and 6 have been amended to clarify that the channel change request is received during the storing of the first stream of multimedia. Support for this amendment can be found in Applicant's Figure 1 and the description of the same as originally presented. No new matter has been added.

As explained below, one or more features of the present invention are simply not taught or addressed by Young, which is directed towards a completely different problem than the present invention is intended to solve.

Specifically, Figure 1 of Young shows a TV program schedule grid with a user interface. All that is taught in the cited portions of Young is the highlighting of a channel on the program grid when a tuner is tuned to that channel, and the suppression of the highlighting when the page is turned (see col. 7, lines 1-11), and various steps that are performed when a request to record a program is made, e.g., copying the program title and the record parameters to memory, and when the system clock matches the schedule time, issuing a command to the programmable tuner of a decoder, etc. (see col. 13, lines 18-30).

As stated on pages 2-3 of the Office Action, the manner in which Young's system can be used to schedule recordings from different channels is to schedule a recording of one show at channel 13 beginning at 11:00 a.m., and a second show at channel 7 beginning at 12:00 p.m. (referring to Figure 1). The Examiner asserted that the channel number has to change when going from channel 13 to channel 7.

However, there is no showing that Young discusses the recording of two streams of multimedia content and responding to a request to change the channel during the recording of one stream, as provided in Applicant's invention.

More specifically, there is no teaching in Young of at least the features of: "receiving a channel change request during said storing of the first stream;" or "storing the second stream of multimedia content to the data store while retaining the first stream of multimedia content in the data store;" as provided in Applicant's claim 1 and claim 6.

For example, Young does not teach that the system or a user would initiate a channel change during the recording or storing of a first stream of a program, e.g., changing channel during the recording of the 11:00am show.

Thus, Young completely fails to anticipate or render obvious the above-identified features of the claimed invention. Claims 1 and 6 are therefore patentable over Young.

Claims 2-3 and 5 depend from claim 1, and claims 7-9 and 11 depend from claim 6. For the same reasons set forth above, these claims are also patentable over Young.

Furthermore, contrary to the Examiner's assertion, the subject matter of claims 3 and 8 are also not shown by Young.

Specifically, claims 3 and 7 each recites assigning an identifier to the first and second multimedia streams so as to identify the channel from which they are recorded.

In Young, it is the program guide that identifies the channel from which the recording occurs. There is no mention or suggestion in Young that any identifier is assigned to a recorded stream for identifying the channel from which it is recorded, or that such an identifier is embedded or otherwise recorded on the video tape. Although Figure 1 shows an example of a program guide with different channels and corresponding programming, there is no such channel “identifier” assigned to a recording as set forth in claims 3 and 8. Thus, claims 3 and 8 are patentable over Young for this additional reason.

Reconsideration and withdrawal of the rejection is respectfully requested.

### Conclusion

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of May 12, 2009 be withdrawn, and that pending claims 1-3, 5-9 and 11 be allowed.

If there are any remaining unresolved issues, the Examiner is invited to contact the Applicant's attorney at (609) 734-6834, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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